

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

CASEY DWIGHT JACKSON,
NO. NT1964,

Case No. 2:21-cv-10943
Hon. Denise Page Hood

Plaintiff,

v.

GIOVANI CAMPBELL,

Defendant.

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ORDER OF SUMMARY DISMISSAL

Plaintiff Casey Dwight Jackson, an inmate at a Pennsylvania correctional facility, filed this action against Giovanni Campbell, a Pennsylvania state judge. Though he used the pre-printed form for commencing a prisoner civil rights action, Plaintiff's complaint seems to be more in the nature of a habeas petition. As far as the Court can discern from the pleading, Plaintiff asserts that insufficient evidence was presented at his state trial to sustain his state conviction for an unspecified weapon conviction. He seeks resentencing. (Complaint, ECF No. 1, PageID.3.)

The determination of the proper venue for a civil action in federal court is generally governed by 28 U.S.C. § 1391. Relevant here, the statute provides that a civil action may be brought in (1) a judicial district in which any defendant resides; or (2) a judicial district in which a substantial part of the events or omissions giving

rise to the claim occurred. See 28 U.S.C. 1391(b)). The habeas venue statute requires a habeas petition brought by a state prisoner to be filed in the District of his conviction or imprisonment. See 28 U.S.C. § 2241(d). If venue is not proper, the district court may in its discretion either dismiss the case or transfer it to any other place the case might have been brought. See 28 U.S.C. § 1406(a).

It is clear venue is not proper in the Eastern District of Michigan. The matter involves parties and facts all located somewhere in the Commonwealth of Pennsylvania. The complaint does not contain sufficient information to determine which District in Pennsylvania venue would be proper. Accordingly, the Court will exercise its discretion and dismiss the case under § 1406(a).

SO ORDERED.

s/Denise Page Hood
Hon. Denise Page Hood
United States District Judge

Dated: December 7, 2021